

Regular Session, 2010

HOUSE BILL NO. 283

BY REPRESENTATIVES ARNOLD AND GISCLAIR

TRAFFIC/VIOLATIONS: Provides that certain traffic violations be heard in certain courts

1 AN ACT

2 To enact R.S. 32:41(F) and 42(D), relative to traffic camera violations; to provide relative
3 to traffic citations as a result of an automated traffic enforcement system to be heard
4 in certain courts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:41(F) and 42(D) are hereby enacted to read as follows:

7 §41. Power of local municipal authorities

8 * * *

9 F. Any ordinance that authorizes the use of an automated traffic enforcement
10 system on any public street, road, or highway and results in the issuance of a citation
11 or notice of violation by mail, shall provide for contesting a decision rendered in an
12 administrative proceeding in a court of competent jurisdiction without a filing fee.

13 §42. Power of local parish authorities

14 * * *

15 D. Any ordinance that authorizes the use of an automated traffic enforcement
16 system on any public street, road, or highway and results in the issuance of a citation
17 or notice of violation by mail, shall provide for contesting a decision rendered in an
18 administrative proceeding in a court of competent jurisdiction without a filing fee.

19 Section 2. The legislature does not intend to legalize any automated traffic
20 enforcement system by enactment of this Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Arnold

HB No. 283

Abstract: Provides that decisions made in an administrative proceeding relative to a violation recorded by an automated traffic enforcement system may be contested in a court of competent jurisdiction.

Proposed law requires municipal and parish ordinances, which authorize the use of an automated traffic enforcement system on any public street, road, or highway and results in the issuance of a citation or notice of violation by mail, to provide for contesting a decision rendered in an administrative proceeding in a court of competent jurisdiction. Provides that no filing fees shall be assessed.

(Adds R.S. 32:41(F) and 42(D))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Provided that a decision rendered in an administrative proceeding may be contested in a court of competent jurisdiction with no filing fees.

House Floor Amendments to the engrossed bill.

1. Added a provision to clarify that the legislature does not intend to legalize the use of automated traffic enforcement systems by the enactment of proposed law.
2. Added technical amendments.